HON'BLE SRI JUSTICE C.V. RAMULU

WRIT PETITION No.11092 of 2006

Date: 26-06-2006

Between :

Amma Traders, rep.by its Proprietor
Sri Padmanabham Prabhakar,
S/o.Subba Rao, aged 40 years,
Occ: Business,
D.No.3A-2-4/1, YMHA Hall Road,
30th Ward, Eluru Town,
West Godavari District.

… Petitioner/s

and

The Joint Collector,
West Godavari District
at Eluru and another.

…Respondent/s

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ORDER :

Admittedly, in this case, by invoking the 6-A proceedings, the rice from the premises of the petitioner was seized. This Court in W.P.Nos.4797 and 11572 of 2006, dated 22-6-2006 has already held that the authorities have no power to invoke 6-A proceedings in view of the fact that the rice has already been taken out of the Essential Commodities Act. Though it is a scheduled commodity, it is not an essential commodity, therefore, invoking 6-A proceedings itself is bad.

In the light of the above said judgment, the writ petition is allowed. No costs.

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(C.V. RAMULU, J)

26-06-2006.
Msr.

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(Msr)